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Date of Signature and Deposit: September 20, 2001

David M. Kettner

PATENT

US PATENT & TRADEMARK
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Eric W. Triplett
Thomas C. Herlache

Date: September 20, 2001

Serial No.: 09/927,616

Group Art Unit:

Filing Date: August 10, 2001

Examiner:

Title: BIOLOGICAL CONTROL OF
CROWN GALL DISEASE

File No.: 960296.97273

REQUEST FOR REFUND

Commissioner For Patents
Washington DC 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.26 and 1.28(a), the Applicants respectfully request a refund of that portion of a fee paid in excess of that required. Specifically, the fees paid by the Applicants in filing the above utility patent application were paid under a large entity status. The Applicants have since determined that small entity status is entitled to be asserted for the application. Applicants hereby assert that they are entitled to small entity status.

Accordingly, applicants respectfully request a refund of \$425.00 to Deposit Account No. 17-0055.

This request for a refund is being filed within three months of the date of the timely payment of the full fee.

Respectfully submitted,

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